

work-shops or foundries to be used by the company, or for procuring stone or other material necessary to the construction of the road, or effecting transportation, and for no other purpose whatever.

Right to cross
other roads.

SEC. 16. *Be it further enacted*, That the company shall have the right, when necessary, to construct the said railroad across any public road or along the side of any public road: *Provided*, That the said company shall not obstruct any public road without first constructing one equally as good and as convenient as the one taken by said company.

Lands for lo-
cation of road,
&c.

SEC. 17. *Be it further enacted*, That when any lands or right of way may be required by the said company for the purpose of constructing their road, building, warehouses, water stations, work-shops or depositories, and for want of agreement as to the value thereof, or from any other cause, the same cannot be purchased from the owner or owners, the same may be taken at a valuation to be made by a jury of good and lawful men, to be summoned by the sheriff of the county in which the land required by the company may lie, and in making the said valuation the said jury shall take into consideration the loss or damage which may occur to the owner or owners in consequence of the land or the right of way being surrendered and the benefit and advantage he, she or they may receive from the erection of the said road, &c.; and shall state particularly the value and amount of each and the excess of loss or damage over and above the advantage and benefit; shall form the measure of valuation of said land or right of way: *Provided*, nevertheless, That if any person or persons over whose land the said road may pass, or the company should be